

1 GIBBONS & BERMAN, CHARTERED
2 501 So. Rancho Dr. #G46
3 Las Vegas, Nevada 89106
4 (702) 386-1935

5 Attorney for Debtor

6 UNITED STATES BANKRUPTCY COURT
7 DISTRICT OF NEVADA

8			
9	In re:)	BK-S-85-0751
10	WORLD WIDE G.I.F.T.S., INC.,)	Date: 7/30/86
11	Debtor.)	Time: 9:00 a.m.
			86MLV0646

12 ORDER AVOIDING LIENS AND CONFIRMING SALE

13 The Debtor, World Wide G.I.F.T.S., INC., by and through
14 its attorney, Lester A. Berman, Esq., having brought a motion
15 for avoidance of liens and to sell property free and clear
16 before the Court on the above-mentioned date pursuant to an
17 order shortening time, counsel for Debtor being present along
18 with Marian Davis, an officer of the Debtor corporation,
19 William L. McGimsey, Esq., being present on behalf of Rick
20 Burton, Susan K. Frankewich, Esq., being present on behalf of
21 secured creditors, Marnell and Scott, and Charles E. Thompson
22 being present on behalf of Pete Eliades, no written objection
23 to said motion having been filed by any interested party,
24 counsel for Rick Burton arguing against the granting of said
25 motion, and the court having made pertinent inquiry as to the
26 merits of said motion and the objections thereto, the matter
27 having been submitted to the court for decision, and good
28 cause appearing therefor,

1 IT IS HEREBY ORDERED that the Debtor's motion for
2 avoidance of lien and to sell property free and clear is hereby
3 granted and that the liens recorded against the property owned
4 by the Debtor by Rick Burton pertaining to any claimed leasehold
5 interest he may have had in the property of the Debtor are
6 hereby declared to be void and of no effect as their recordation
7 was in violation of the automatic stay pursuant to 11 U.S.C.
8 362. The Debtor is hereby allowed to sell the property known as
9 The Crystal Springs Resort free and clear of any such liens and
10 as such liens are declared to be void herein, Rick Burton shall
11 not have a right, title or interest in any proceeds of such
12 sale.

13 IT IS FURTHER ORDERED that Rick Burton, a Chapter 11
14 Debtor in Case No. BK-S-85-1719, has rejected any interest
15 which he may have had in any unexpired lease agreement to
16 option to buy The Crystal Springs Resort by the operation of
17 11 U.S.C. 365. ~~Furthermore, the property in question was never~~
18 ~~part of the Burton bankruptcy estate as it was never listed on,~~
19 ~~his schedules or statement of affairs.~~

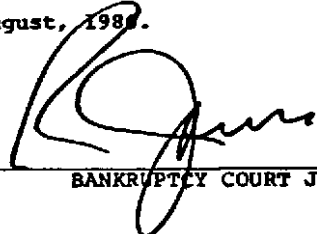
20 IT IS FURTHER ORDERED that the sale of The Crystal Springs
21 property as proposed and set forth in the court's order of
22 June 17, 1986, is hereby approved and confirmed upon the terms
23 set forth in that order. The Debtor and Pete Eliades will
24 cause an escrow to be opened to effect a transfer of said
25 property with the tender of the funds already on deposit in the
26 registry of the court.

27 IT IS FURTHER ORDERED that Rick Burton shall remove any
28 personal property which he has stored at The Crystal Springs


1 Resort from the premises, such property consisting of a mobile
 2 home and gasoline stored within underground tanks. Rental and
 3 storage charges due and owing from ^{any} Rick Burton to the Debtor
 4 herein which have accrued subsequent to the filing of the
 5 Chapter 11 petition by Rick Burton are to be treated as
 6 administrative expenses charged against the Rick Burton
 7 bankruptcy estate and the Debtor herein may make application
 8 therefor in the Rick Burton bankruptcy.

9 IT IS FURTHER ORDERED that counsel for Marnell and Scott
 10 shall provide to the Debtor a detailed breakdown of all
 11 attorney's fees incurred on behalf of Marnell and Scott and
 12 Valley Bank of Nevada and that the award of any attorney's fees
 13 additional to those set forth in the court's order of June 17,
 14 1986, shall be made upon a motion being brought before the
 15 court properly noticed to all interested parties and the
 16 demonstration of sufficient proof to the court that such fees
 17 are allowable and reasonable.

18 DATED this 27th day of August, 1986.


 BANKRUPTCY COURT JUDGE

22 GIBBONS & BERMAN, CHARTERED

23 
 24 Lester A. Berman
 25 501 So. Rancho Dr. #G46
 26 Las Vegas, Nevada 89106
 27 Attorney for Debtor

28 I certify that this is a true copy:
 Attest: 
 Deputy Clerk, Bankruptcy Court

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APPROVED AS TO FORM:

SUSAN K. FRANKIEWICH, ESQUIRE

[Signature]

300 S. Fourth St., #700
Las Vegas, Nevada 89101
Attorney for Marnell and Scott

WILLIAM L. MCGIMSEY, ESQUIRE - *Disapproved*

Will. B. M. King

720 So. Fourth St. #300
Las Vegas, Nevada 89101
Attorney for Rick Burton

CHARLES E. THOMPSON, ESQUIRE

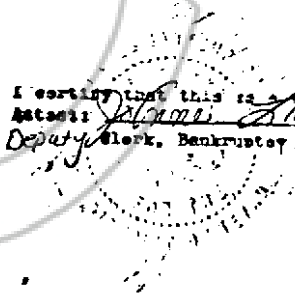
[Signature]

703 So. Eighth St.
Las Vegas, Nevada 89101
Attorney for Pete Eliades

WHEN RECORDED MAIL TO:

GIBBONS & BERMAN, CHARTERED
501 South Rancho Drive, #G-46
Las Vegas, Nevada 89106

I certify that this is a true and correct copy of the original as filed with me.
Deputy Clerk, Bankruptcy Court



No. 85678
FILED AND RECORDED AT REQUEST OF
Lester Berman
Sept. 19, 1986
AT 30 MINUTES PAST 2 O'CLOCK
P.M. IN BOOK 27 OF OFFICIAL
RECORDS, PAGE 245 LINCOLN
COUNTY, NEVADA.
[Signature]
COUNTY RECORDER